

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKIN RE MAT FIVE SECURITIES  
LITIGATION

x

Master File No. 08-civ-4152 NRB  
ECF Case

:

CLASS ACTION

:

MOTION TO ADMIT COUNSEL  
PRO HAC VICE

:

x

AUG 06 2008  
J  
D  
V  
T  
S  
O  
D  
9

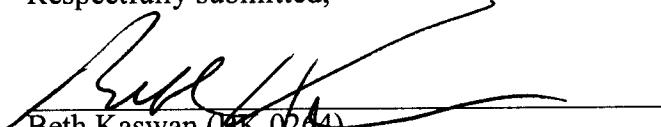
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Beth Kaswan, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Christopher M. Burke  
SCOTT + SCOTT, LLP  
600 B Street, Suite 1500  
San Diego, CA 92101  
Telephone: 619-233-4565  
Facsimile: 619-233-0508

Christopher M. Burke is a member in good standing of the Bars of the States of California and Wisconsin. Certificates of Good Standing are attached. There are no pending disciplinary proceedings against Christopher M. Burke in any State or Federal court.

DATED: August 4, 2008  
New York, NY

Respectfully submitted,



Beth Kaswan (BK 0264)  
SCOTT + SCOTT, LLP  
29 West 57th Street, 14th Floor  
New York, NY 10019  
Telephone: 212-223-6444  
Facsimile: 212-223-6334  
[bkaswan@scott-scott.com](mailto:bkaswan@scott-scott.com)

*Attorney for Plaintiffs Alice Lillegard and Robert Lillegard*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Admit Counsel *Pro Hac Vice* was served via Regular Mail upon the following counsel, this 4<sup>th</sup> day of August, 2008:

Kirk B. Hulett  
Hulett Harper Stewart LLP  
550 West C Street, Suite 1600  
San Diego, CA 92101

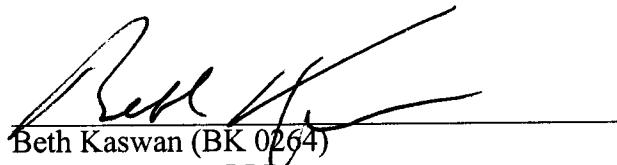
*Plaintiffs' Lead Counsel*

Phillip Kim  
The Rosen Law Firm, P.A.  
350 Fifth Avenue, Suite 5508  
New York, NY 10118

*Plaintiffs' Liaison Counsel*

Charles Edward Davidow  
Paul, Weiss, Rifkind, Wharton & Garrison, LLP  
1615 L Street, N.W., Ste. 1300  
Washington, DC 20036

*Counsel for Defendants*



Beth Kaswan (BK 0264)  
SCOTT + SCOTT, LLP  
29 West 57th Street, 14th Floor  
New York, NY 10019  
Telephone: 212-223-6444  
Facsimile: 212-223-6334  
[bkaswan@scott-scott.com](mailto:bkaswan@scott-scott.com)

*Attorney for Plaintiffs Alice Lillegard and  
Robert Lillegard*



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER SERVICES CENTER**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

July 14, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, CHRISTOPHER MATTHEW BURKE, #214799 was admitted to the practice of law in this state by the Supreme Court of California on November 12, 2001; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature of Kath Lambert.  
Kath Lambert  
Custodian of Membership Records



# WISCONSIN SUPREME COURT

## OFFICE OF THE CLERK

110 E. Main Street, Suite 215  
P.O. Box 1688  
Madison, WI 53701-1688

David R. Schanker  
Clerk

Telephone: 608-266-1880  
TTY: 800-947-3529  
Fax: 608-267-0640  
<http://www.wicourts.gov>

## CERTIFICATE OF GOOD STANDING

*I, David R. Schanker, Clerk of the Supreme Court of Wisconsin certify that the records of this office show that:*

*CHRISTOPHER M. BURKE*

*was admitted to practice as an attorney within this state on January 18, 1994 and is presently in good standing in this court.*

*Dated: July 21, 2008*

A handwritten signature in black ink, appearing to read "DRS".

*DAVID R. SCHANKER  
Clerk of Supreme Court*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

IN RE MAT FIVE SECURITIES LITIGATION	x : : : : x	Master File No. 08-civ-4152 NRB ECF Case  CLASS ACTION  <u>AFFIDAVIT OF BETH KASWAN IN</u> <u>SUPPORT OF MOTION TO ADMIT</u> <u>COUNSEL PRO HAC VICE</u>
---	----------------------------	---

---

Beth Kaswan, being duly sworn, hereby deposes and says as follows:

1. I am a partner of Scott + Scott, LLP, counsel for Plaintiffs Alice Lillegard and Robert Lillegard in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Christopher M. Burke as counsel *pro hac vice* to represent Plaintiffs in this matter.

2. I am a member in good standing of the bars of the State of New York and the State of Massachusetts, and was admitted to practice law on January 12, 1977. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Christopher M. Burke since approximately January 2008.

4. Christopher M. Burke is a partner at Scott + Scott, LLP in San Diego, California.

5. I have found Mr. Burke to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

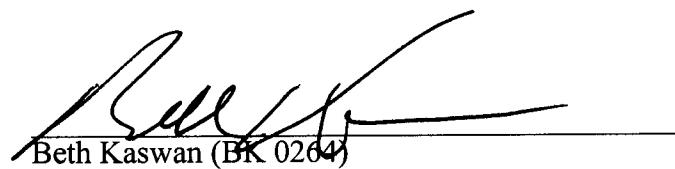
6. Accordingly, I am pleased to move the admission of Christopher M. Burke, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Christopher M. Burke, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Christopher M. Burke, *pro hac vice*, to represent Plaintiffs in the above captioned matter, be granted.

DATED: August 4, 2008  
New York, NY

Respectfully submitted,



Beth Kaswan (BK 0264)  
SCOTT + SCOTT, LLP  
29 West 57th Street, 14th Floor  
New York, NY 10019  
Telephone: 212-223-6444  
Facsimile: 212-223-6334  
[bkaswan@scott-scott.com](mailto:bkaswan@scott-scott.com)

*Attorney for Plaintiffs Alice Lillegard and Robert Lillegard*

STATE NEW YORK:

On this 4th day of August 2008 before me, the undersigned notary public, personally appeared Beth Kaswan, proved to me through satisfactory evidence of identification, which were known to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purpose.

ANN E. SLAUGHTER  
Notary Public-State of New York  
No. 01SL6183108  
Qualified in Bronx County  
Commission Expires March 10, 2012



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Affidavit of Beth Kaswan In Support of Motion to Admit Counsel *Pro Hac Vice* was served via Regular Mail upon the following counsel, this 4<sup>th</sup> day of August, 2008:

Kirk B. Hulett  
Hulett Harper Stewart LLP  
550 West C Street, Suite 1600  
San Diego, CA 92101

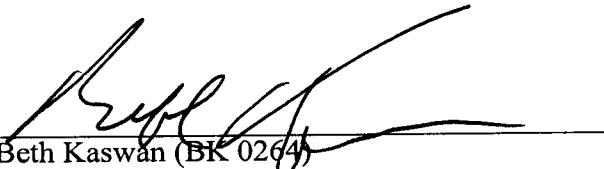
*Plaintiffs' Lead Counsel*

Phillip Kim  
The Rosen Law Firm, P.A.  
350 Fifth Avenue, Suite 5508  
New York, NY 10118

*Plaintiffs' Liaison Counsel*

Charles Edward Davidow  
Paul, Weiss, Rifkind, Wharton & Garrison, LLP  
1615 L Street, N.W., Ste. 1300  
Washington, DC 20036

*Counsel for Defendants*



Beth Kaswan (BK 0264)  
SCOTT + SCOTT, LLP  
29 West 57th Street, 14th Floor  
New York, NY 10019  
Telephone: 212-223-6444  
Facsimile: 212-223-6334  
[bkaswan@scott-scott.com](mailto:bkaswan@scott-scott.com)

*Attorney for Plaintiffs Alice Lillegard and  
Robert Lillegard*

**EXHIBIT A**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE MAT FIVE SECURITIES LITIGATION	x	Master File No. 08-civ-4152 NRB ECF Case
	:	
	:	CLASS ACTION
	:	<u>ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION</u>
	x	

Upon the motion of Beth Kaswan, attorney for Plaintiffs Alice Lillegard and Robert Lillegard and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Christopher M. Burke  
SCOTT + SCOTT, LLP  
600 B Street, Suite 1500  
San Diego, CA 92101  
Telephone: 619-233-4565  
Facsimile: 619-233-0508  
Email Address: [cburke@scott-scott.com](mailto:cburke@scott-scott.com)

is admitted to practice *pro hac vice* as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: \_\_\_\_\_  
New York, NY

\_\_\_\_\_  
United States District/Magistrate Judge